

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Civil No. 12-cv-12986

vs.

Honorable: Robert H. Cleland

SEVENTY THOUSAND EIGHTY FIVE  
DOLLARS AND EIGHTY EIGHT CENTS  
(\$70,085.88) IN U.S. CURRENCY FROM  
MEMBERFOCUS COMMUNITY CREDIT UNION  
ACCOUNT # 1841900; AND THREE THOUSAND  
SIX HUNDRED NINETY EIGHT DOLLARS AND  
SIXTY SEVEN CENTS (\$3,698.67) IN U.S. CURRENCY  
FROM DEARBORN FEDERAL SAVINGS BANK  
ACCOUNT # 52053254,

Defendants *In Rem*.

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**STIPULATED CONSENT JUDGMENT AND  
FINAL ORDER OF FORFEITURE**

NOW COMES the Plaintiff, the UNITED STATES OF AMERICA  
(hereinafter the "United States" or the "government"), by and through its counsel,  
BARBARA L. McQUADE, United States Attorney, and GJON JUNCAJ,  
Assistant United States Attorney, and Claimant, ABIR SAYED, by and through  
her attorney, SCOTT MURDOCH, ESQ., who enter into this Stipulation for Entry  
of a Consent Judgment and Final Order of Forfeiture as evidenced by their  
signatures below, under the terms and conditions hereinafter set forth:

WHEREAS, on or about February 16, 2012, Seventy Thousand Eighty Five Dollars and Eighty Eight Cents (\$70,085.88) in U.S. Currency was seized from MemberFocus Community Credit Union Account # 1841900, and Three Thousand Six Hundred Ninety Eight Dollars and Sixty Seven Cents (\$3,698.67) was seized from Dearborn Federal Savings Bank Account #52053254 (hereafter “defendant currency”), pursuant to federal seizure warrants that were executed by agents with United States Immigration and Customs Enforcement, Homeland Security Investigations (“HSI”);

WHEREAS, an administrative claim contesting the forfeiture was filed with the United States Customs and Border Protection (“CBP”) by Claimant ABIR SAYED, and thereafter, the matter was referred by CBP to the United States Attorney’s Office for judicial forfeiture;

WHEREAS, a Complaint for Forfeiture in this matter was filed on July 9, 2012, by the United States alleging that the defendant currency was subject to forfeiture pursuant to 7 U.S.C. § 2024(e) and/or 18 U.S.C. §§ 981(a)(1)(A) and/or 981(a)(1)(C);

WHEREAS, notice by publication has been completed in this case;

WHEREAS, Claimant ABIR SAYED filed an Answer to the Complaint on August 13, 2012, and a Claim of Interest as to the defendant currency on

September 12, 2012;

WHEREAS, no other verified claims of interest have been filed by any other party with the United States District Court under the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and the time for filing such pleadings has expired; and

WHEREAS, the parties are aware of their respective rights in this matter and wish to resolve this matter without further litigation and expense;

NOW, THEREFORE, the parties hereby stipulate and agree as follows:

1. This is an *in rem* civil forfeiture action brought pursuant to 7 U.S.C. § 2024(e) and/or 18 U.S.C. §§ 981(a)(1)(A) and/or 981(a)(1)(C).

2. The Court has jurisdiction and venue over this matter pursuant to 28 U.S.C. §§ 1345, 1355, 1391 and 1395.

3. It is the position of the United State that the United States and its agents had reasonable cause for the seizure of the defendant currency as provided in 28 U.S.C. § 2465, and that this action is and has been substantially justified as set forth in 28 U.S.C. § 2412.

4. The parties agree that upon entry of this Consent Judgment and Final Order of Forfeiture, the entire amount of the defendant currency, specifically Seventy Thousand Eighty Five Dollars and Eighty Eight Cents (\$70,085.88) in U.S.

Currency from MemberFocus Community Credit Union Account # 1841900, and Three Thousand Six Hundred Ninety Eight Dollars and Sixty Seven Cents (\$3,698.67) from Dearborn Federal Savings Bank Account #52053254, **SHALL BE FORFEITED** to the United States of America pursuant to 7 U.S.C. § 2024(e) and/or 18 U.S.C. §§ 981(a)(1)(A) and/or 981(a)(1)(C). Further, any right, title or interest of Claimant ABIR SAYED, her successors and assigns, and any right, title and ownership interest of all other persons in the forfeited currency is hereby and forever **EXTINGUISHED**, and that clear title to the forfeited currency shall hereby be **VESTED** in the United States of America, and that the United States Department of Treasury, or its delegatee, is **AUTHORIZED** to dispose of the forfeited currency according to law.

5. The United States agrees to file a petition for remission or restoration request with the Asset Forfeiture and Money Laundering Section (“AFMLS”) requesting that AFMLS apply any funds forfeited to the United States in this case to the restitution ordered by the Court in the related criminal case of United States of America v. Jim Sayed, Docket No. 13-cr-20496 (Judge Roberts) (hereinafter “related criminal case”). Claimant ABIR SAYED acknowledges and understands that it is within the sole discretion of AFMLS to grant or deny the request to apply the forfeited defendant currency to the restitution ordered in the related criminal

case, and that this agreement does not bind AFMLS to grant the petition for remission or restoration request that is filed.

6. Claimant ABIR SAYED hereby withdraws her claim to the entire amount of the defendant currency, plus any interest accrued on the defendant currency since the date of seizure. Claimant ABIR SAYED also withdraws any petitions for remission that may have been filed.

7. Upon signing below, Claimant ABIR SAYED releases, remises and forever discharges the plaintiff, United States of America, and its agents, officers, employees, past and present, and all other persons, including but not limited to agents and employees of HSI, CBP, the United States Department of Agriculture, the United States Attorney's Office, and any other individual local law enforcement officers or departments or agencies, and any other persons who participated in or assisted in any aspect of this forfeiture action and underlying investigation, from any and all claims or causes of action which Claimant, and her agents, officers, employees, past and present, and which Claimant and her assigns, agents, officers employees and successors in interest hereafter can, shall or may have for, or on account of the incidents or circumstances giving rise to the above-captioned action.

8. Claimant ABIR SAYED has discussed this settlement with her

attorney and is aware of her rights in this matter.

9. The parties agree that each party shall bear its own costs and attorneys fees in this matter.

10. Upon entry of the Stipulated Consent Judgment and Final Order of Forfeiture, this case shall be **DISMISSED WITH PREJUDICE** and closed.

Respectfully Submitted,

BARBARA L. McQUADE  
United States Attorney

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Gjon Juncaj  
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Detroit, Michigan 48226  
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(P-63256)

Dated: November 21, 2013

S/Scott Murdoch  
Scott Murdoch, Esq.  
Attorney for Claimant Abir Sayed  
6200 Schaefer Road  
Dearborn, MI 48123  
Phone: (313) 943-3350  
email: smurdoch@imanor.com  
(P-46424)

Dated: November 21, 2013  
S/Abir Sayed (see attached signature pg)  
Abir Sayed, Claimant

Dated: November 20, 2013

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IT IS SO ORDERED.

Dated: February 4, 2014

S/Robert H. Cleland  
Honorable Robert H. Cleland  
United States District Judge

10. Upon entry of the Stipulated Consent Judgment and Final Order of Forfeiture, this case shall be **DISMISSED WITH PREJUDICE** and closed.

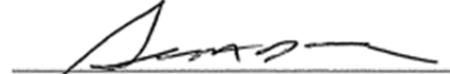
Respectfully Submitted,

BARBARA L. McQUADE

United States Attorney

  
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211 W. Fort Street, Suite 2001  
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Dated: November 21, 2013

  
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Dated: November 21, 2013

  
Abir Sayed, Claimant

Dated: November 20, 2013

\*\*\*\*\*

IT IS SO ORDERED.

Dated:

\_\_\_\_\_  
Honorable Robert H. Cleland  
United States District Judge